

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re: ) Chapter 11  
 ) Case No. 01-1139 (JKF)  
W.R. GRACE & CO., *et al.*, ) Jointly Administered  
 )  
Debtors. ) **Related to: D.I. 26686**

**APPELLANT MARYLAND CASUALTY COMPANY'S  
DESIGNATION OF ISSUES TO BE PRESENTED ON CROSS-APPEAL**

Maryland Casualty Company ("MCC"), pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, hereby designates the following issues to be presented on cross-appeal in connection with the *Notice of Cross-Appeal* [Docket No. 26686] filed by MCC on April 1, 2011:

1. The Bankruptcy Court properly confirmed the First Amended Plan<sup>1</sup> that fully and permanently enjoins all holders of Asbestos PI Claims from prosecuting Asbestos PI Claims against Asbestos Protected Parties. However, to the extent that the District Court finds that the Bankruptcy Court erred in approving such an injunction, did the Bankruptcy Court also err in confirming the First Amended Plan over MCC's objections thereto?
2. To the extent that the District Court finds that Bankruptcy Court erred in excluding any evidence submitted by the Libby Claimants, did the Bankruptcy Court also err in overruling objections to the admission of other evidence submitted by the Libby Claimants?

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<sup>1</sup> Capitalized terms have the meaning defined in *Maryland Casualty Company's Opening Post-Trial Brief In Support Of Its Phase II Objections To First Amended Joint Plan Of Reorganization Under Chapter 11 Of The Bankruptcy Code Of W.R. Grace & Co., et al., The Official Committee Of Asbestos Personal Injury Claimants, The Asbestos PI Future Claimants' Representative, And The Official Committee Of Equity Security Holders Dated As Of February 27, 2009* [Docket No. 23645].

Dated: April 11, 2011

CONNOLLY BOVE LODGE & HUTZ LLP

/s/ Jeffrey C. Wisler

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